

REMARKS

Claims 1-15 are pending in the application. Claims 1-3, 7-10 and 14 are rejected under 35 U.S.C. §103(a) as being unpatentable over Hayashida (US Pub. No. 2003/0027582) in view of Tashiro (U.S. Patent No. 6,975,836). Claims 5 and 12 are rejected under 35 U.S.C. §103(a) as being unpatentable over Hayashida in view of Tashiro and further in view of Lee (US Patent No. 6,434,484).

Reconsideration of the application is respectfully requested.

It is gratefully acknowledged that Claims 4, 6, 11, 13 and 15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The Applicant sincerely appreciates the Examiner concluding that the arguments presented in the last reply were persuasive and in withdrawing the Finality of the last Office Action.

Hayashida teaches a cellular phone unit, which receives GPS satellite information of GPS satellites and base station information of base stations. It extracts the GPS satellite information and the base station information that meet transmission conditions, which are provided by a location server, out of the obtained GPS satellite information and base station information.

Regarding independent Claims 1, 3, 7 and 10, the Examiner states that Hayashida discloses, "checking a reception sensitivity of a reception signal for the communication function corresponding to the enabled operation mode." After reviewing Hayashida, the Applicant respectfully disagrees.

More particularly, to support his rejection, the Examiner states that Hayashida (paragraphs 0046, 0057, Figures 6-7) discloses the above recitation. However, with reference to Figures 6-7, Hayashida merely shows a still reception sensitivity indicator with no indication that

the indicator is dynamic. The Examiner noted “the user want to use the GPS function, the mobile will display the GPS reception sensitivity on the display area 10, [0046-0051]”. However, with reference to the cited passages, the Applicant could not discern any reference that fairly suggests the above recitation. Ironically, the Examiner acknowledges Hayashida fails to teach “the reception sensitivity indicator corresponding to the enabled operation mode has a different form from the reception sensitivity indicator of the prescribed communication function, on the display screen.” (See Office Action page 3). However, the Examiner asserts that Tashiro teaches such features.

Specifically, the Examiner cites Figure 5 of Tashiro for curing Hayashida’s deficiency. Tashiro, however, teaches a different feature than recited by independent Claims 1, 3, 7 and 10.

Claims 3, 7 and 10 recite a method for displaying reception sensitivity on a display screen of a multi-functional mobile terminal, where “instead of displaying the mobile communication reception sensitivity indicator, wherein the GPS reception sensitivity indicator has a different form from the mobile communication reception sensitivity indicator, on the display screen,” which is not disclosed in Tashiro. As the Examiner correctly noted, Tashiro displays GPS sensitivity 104 and 103, display mode sensitivity 106 concurrently rather than one instead of the other as claimed in the present invention. It appears the Examiner does not accord any patentable weight to the word “instead” within the context of the claims. All words in a claim must be considered in judging the patentability of that claim against the prior art. See MPEP §2143.03. One cannot divine claim meaning in a vacuum. *Philips v. AWH Corporation* (Fed. Cir. July 12, 2005).

Based on the above, neither Hayashida nor Tashiro combined or alone disclose, teach or fairly suggest “instead of displaying the mobile communication reception sensitivity indicator, wherein the GPS reception sensitivity indicator has a different form from the mobile communication reception sensitivity indicator, on the display screen.” To establish a prima facie case of obviousness under 35 U.S.C. §103(a) based upon a combination of references, the cited combination of references must disclose, teach or suggest all elements/features/steps of the claim at issue. *See, e.g., In re Dow Chemical*, 5 U.S.P.Q.2d 1529, 1531 (Fed. Cir. 1988) and *In re Keller*, 208 U.S.P.Q.2d 871, 881(C.C.P.A. 1981). All of the claimed features of independent

Claims 1, 3, 7 and 10 are not taught or suggested by the combination of Hayashida and Tashiro or by either reference alone. Accordingly, the Examiner fails to establish a prima facie case of obviousness with respect to Claims 1, 3, 7 and 10. Withdrawal of the rejection will be requested.

Claims 2, 4-6, 8-9 and 11-15 are dependent claims. Accordingly, because the above arguments place independent Claims 1, 3, 7 and 10 into condition for allowance, then these dependent claims will also be in condition for allowance; therefore, this application is in condition for allowance.

The application as now presented, containing Claims 1-15 are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicant's attorney at the number given below.

Respectfully submitted,



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